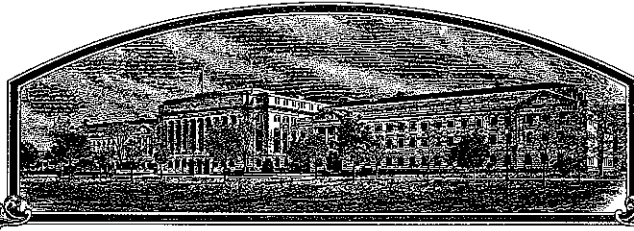


No.

200000320



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pickseed West, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

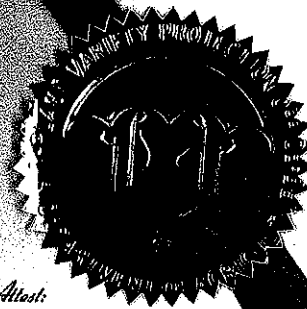
NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

RYEGRASS, PERENNIAL

'Fiesta 3'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-fifth day of March, in the year two thousand and four.

Attest:



[Signature]
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

[Signature]
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

1. NAME OF OWNER Pickseed West, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME Pick F3		3. VARIETY NAME Fiesta 3	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 30190 Hwy 34 SW Albany, OR 97321		5. TELEPHONE (include area code) 541-967-0123		FOR OFFICIAL USE ONLY PVPO NUMBER 200000320	
6. FAX (include area code) 541-967-6103		7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION Oregon	
9. DATE OF INCORPORATION 1968		10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Donald J. Floyd Pickseed West, Inc. 30190 Hwy 34 SW Albany, OR 97321 USA		FILING AND EXAMINATION FEES: \$ 2450.00 DATE 8-11-00 CERTIFICATION FEE: \$ 432- DATE 12/29/04	
11. TELEPHONE (include area code) 541-967-0123		12. FAX (include area code) 541-967-6103		13. E-MAIL dfloydpswres@proaxis.com	
14. CROP KIND (Common Name) Perennial ryegrass		15. GENUS AND SPECIES NAME OF CROP Lolium perenne		16. FAMILY NAME (Botanical) Poaceae	
17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)	
20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		21. IF "YES" TO ITEM 20, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)	
23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)		24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF OWNER Donald J. Floyd		SIGNATURE OF OWNER			
NAME (Please print or type) Donald J. Floyd		NAME (Please print or type)			
CAPACITY OR TITLE Research Director		DATE 8-9-00		CAPACITY OR TITLE DATE	

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,450 (\$300 filing fee and \$2,150 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$300 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvp.htm>

ITEM

- 18a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Has been sold in USA only; first sale - August 18, 1999

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

None

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8089.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your cover. Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (P.L. 104-146)

Exhibit A
Breeding History
Fiesta 3
Perennial Ryegrass

Fiesta 3 perennial ryegrass (*Lolium perenne* L.) is a turf-type cultivar developed by Pickseed West, Inc. (PSW), Albany, OR. Germplasm obtained from the New Jersey Agricultural Experiment Station of Rutgers University, as well as germplasm developed by PSW, was used to produce *Fiesta 3*. Most of this germplasm traces to populations related to or used in the development of 'Fiesta' perennial ryegrass (Funk, et al. 1982), and 'Fiesta II' perennial ryegrass.

Nearly all of the parental germplasm of *Fiesta 3* originated from a program to improve perennial ryegrass for turf use initiated in 1962. This program involved selection of outstanding plants that had exhibited an ability to survive, persist, and grow to form attractive turfs exceeding one meter in diameter in stressful environments. The most useful plants were collected from Central Park in New York City, Paterson Park and Riverside Park in Baltimore, MD, College Park, MD, and old turfs in New Jersey and eastern Pennsylvania. Clonal evaluation and progeny tests conducted under turf maintenance demonstrated that they had significantly improved turf performance, a darker green color, a lower growth profile, and improved resistance to many of the diseases, insects, and environmental stresses common to the hot, humid summers and relatively cold winters of the mid-Atlantic region of the USA. Subsequent research showed that most of the selections from old turfs contained *Neotyphodium* endophytes.

Progenies from intercrossing the best performing plants were subjected to varying numbers of cycles of phenotypic and genotypic selection. Phenotypic selection involved disease screening in a greenhouse and spaced-plant nurseries; selection of lower-growing, darker-green seedlings with more tillers under cool, short-daylength greenhouse conditions; and selection of leafy, attractive, lower-growing, disease-free plants in large spaced-plant field nurseries. Genotypic selection consisted of evaluation of single-plant progenies in closely mowed turf trials located in stressful environments. Progenies were evaluated for relative freedom from disease and insect damage; speed of recovery from injury; a bright, rich, attractive, darker-green color; uniformity; ease of mowing; persistence; rate of establishing full turf cover after seeding; a medium-line leaf texture; medium-high density; spring greenup; lack of winter injury; and relative freedom from summer stress. Population backcrossing was also used to incorporate genes for resistance to rusts. Genes for stem rust resistance came from populations related to 'Manhattan II', whereas, genes for resistance to crown rust were obtained from P1231, 597 (Greece), P1197, 270 (Finland), and 'Loretta',

After many cycles of population improvement, large, spaced-plant nurseries were established at the Rutgers Plant Science Research and Extension Farm at Adelphia, NJ in the late summer and fall of 1993 and 1994. These nurseries were rogued extensively prior to anthesis in 1994 and 1995. Seed was harvested from 304 plants selected from the 1993 nursery and established in single-plant progeny turf trials at Adelphia in the late summers of 1994. Seed harvested from 205 selected plants in July 1995 was established in single-plant progeny turf trials at Adelphia during the late summer of 1995.

Following a period of summer stress in 1996, plants were selected from three of the best

performing progenies of the 1994 test and 15 of the best performing progenies of the test. Clones A89-SPL and DK 9-11 were included. PSW also selected plants from four of their selections.

Vegetative tillers of the 24 perennial ryegrass half-sib families were shipped to PSW, from Rutgers University in August 1996. Approximately 100 progeny plants of each family were reared in a greenhouse environment during September. A progeny test of the families were established in four nurseries at PSW on October 14, 1996.

During the 1996-97 growing season, selections were made among and within each family line. Plants were discarded if they were weak, exhibited lighter green foliage color or showed accelerated winter growth relative to the mean of the other progenies within families. As plants initiated reproductive culms, those progenies which were extremely earlier or later than the mean of the other progenies were discarded. In several instances whole families were rogued. Prior to anthesis, fourteen families remained to interpollinate among the four nurseries. The families were equally distributed within each of the four nurseries. The nurseries were established close together so as to ensure adequate interpollination. Approximately 5% of the progenies remaining after pollination, were discarded prior to seed harvest. These were severely infected by stem rust. Seed from the remaining progenies were harvested and bulked. This seed was considered breeder seed of the experimental variety. The seed was harvested from the 14 families designated as;

A94-268	A94-661	A94-699
A95-214	A95-231	A95-365
A95-369	A95-382	A95-390
A95-395	A95-1139 (PR G-95)	A95-1140 (Lp J-93)
A95-1152 (Lp Q-93)	A95-1184 (PR C-95)	

Breeder seed was used to sow a 5Ac Foundation seed increase field in September 1997 near Salem, OR. Additionally, a spaced planted nursery of 800 individuals reared from breeder seed was established at PSW. Prior to pollination in the spring of 1998, only a trace amount of off-types were rogued from both field plantings. The two location plantings allowed the breeder to gain confidence in the uniformity of the variety, which was considered very good. The breeder has observed the 1999 and 2000 crops of the Experimental certified seed increase fields which were sown from 1998 Foundation seed. It is evident that the uniformity and stability of *Fiesta 3* is very good, and should be maintained as long as the cultivar is reproduced under the guidance of recognized certification programs.

Exhibit A
Breeding History
Fiesta 3
Perennial Ryegrass

Seed of 24 perennial ryegrass half-sib families were shipped to Pickseed West, Inc. (PSW), Albany, OR, from Rutgers University, New Brunswick, NJ in August 1996. Approximately 100 progeny plants of each family were reared in a greenhouse environment during September. A progeny test of the families was established in four nurseries at PSW on October 14, 1996.

During the 1996-97 growing season, selections were made among and within each family line. Plants were discarded if they were weak, exhibited lighter green foliage color or showed accelerated winter growth relative to the mean of the other progenies within families. As plants initiated reproductive culms, those progenies which were extremely earlier or later than the mean of the other progenies were discarded. In several instances whole families were rogued. Prior to anthesis, fourteen families remained to interpollinate among the four nurseries. The families were equally distributed within each of the four nurseries. The nurseries were established close together so as to ensure adequate interpollination. Approximately 5% of the progenies remaining after pollination, were discarded prior to seed harvest. These were severely infected by stem rust. Seed from the remaining progenies were harvested and bulked. This seed was considered breeder seed of the experimental variety. The seed was harvested from the 14 families designated as:

A94-268	A94-661	A94-699
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A95-395	A95-1139 (PR G-95)	A95-1140 (Lp J-93)
A95-1152 (Lp Q-93)	A95-1184 (PR C-95)	

Breeder seed was used to sow a 5Ac Foundation seed increase field in September 1997 near Salem, OR. Additionally, a spaced planted nursery of 800 individuals reared from breeder seed was established at PSW. Prior to pollination in the spring of 1998, only a trace amount of off-types was rogued from both field plantings. The two location plantings allowed the breeder to gain confidence in the uniformity of the variety. The breeder has observed the 1999 crop of the Foundation seed increase fields which were sown from 1998 Foundation seed. Additionally, the breeder has observed registered and certified seed production fields from 2000-2003. It is evident that the uniformity and stability of *Fiesta 3* is very good, without evidence of variant individuals, and should be maintained as long as the cultivar is reproduced under the guidance of recognized certification programs.

Exhibit B
Summary of Variety Distinctness
***Fiesta 3* Perennial Ryegrass**

Fiesta 3 is a new, distinct variety of turfgrass utility. Upon evaluation of morphological data generated from two growing seasons of spaced planted cultivar trials, *Fiesta 3* is most similar to the cultivar *Achiever*. *Fiesta 3* can be differentiated, however, from *Achiever* based on date of heading. *Fiesta 3* is 4-5 days later than *Achiever* (Table 1).

Table 1. Heading date and mature plant height for perennial ryegrass cultivars during two growing seasons.†

Cultivar	Heading		Height (cm)	
	1998	1999	1998	1999
Fiesta 3	May 30	May 22	50	48
Achiever	May 26	May 17	56	49
Derby Supreme	May 30	May 20	57	51
Magic	May 31	May 22	53	51
Manhattan	June 3	May 30	56	56
Saturn	May 29	May 20	54	56
Target	May 30	May 23	50	47
Citation II	May 27	May 19	54	45
Linn	May 17	May 14	57	53
Pennfine	May 25	May 15	53	54
LSD@0.05	3 days	3 days	5	8

† Heading date was recorded as the average of spaced plants per accession attaining at least three heads emerged from boot. Measurements for heading and height were taken from replicated spaced planted nurseries of cultivars. Nurseries were established at the research facility of Pickseed West, Inc., Albany, OR.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

**U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 SCIENCE AND TECHNOLOGY PROGRAM
 PLANT VARIETY PROTECTION OFFICE
 BELTSVILLE, MD 20705**

**OBJECTIVE DESCRIPTION OF VARIETY
 RYEGRASS
 (*Lolium* spp.)**

NAME OF APPLICANT(S) Pickseed West, INC.	TEMPORARY DESIGNATION Pick F3	VARIETY NAME Fiesta 3
--	---	---------------------------------

ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code) 30190 Hwy 34 SW Albany, OR 97321	FOR OFFICIAL USE ONLY PVPO NUMBER 200000320
--	---

Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g. 089). Descriptions of characters should represent those that are typical for the variety. Ranges may be given also. Measured data should be for SPACED PLANTS. Give additional description for all characteristics that cannot be adequately described in the form below. Append a pertinent comparative trial and evaluation data. The symbol "▲" indicates decimal.

1. SPECIES:

☒ 1 = *L. multiflorum* (annual or italian: includes Westerwoldicum) 2 = *L. perenne* (perennial) 3 = *L. rigidum* (includes Wimmeria)
 4 = Hybrid (of species): _____ 5 = Other (Please specify): _____

2. PLOIDY:

☒ 1 = Diploid 2 = Tetraploid 3 = Other (Please specify): _____

3. DURATION:

☒ 1 = Annual or Biennial 2 = Short lived perennial (3-4 years) 3 = Perennial (more than 4 years)

STANDARD CULTIVARS

1 = GULF	2 = WIMMERIA 62	3 = LINN	4 = PELO	9 = Advantag
5 = NORLEA	6 = ABERYSTWYTH S-23	7 = MANHATTAN	8 = PENNFINE	10 = Man. II
				11 = Palmer
				12 = Palmer

4. MATURITY (50% HEADED) Use standards from above for comparison:

☒ 1 = Very Early 3 = Early ☒ 08 DAYS EARLIER THAN ... ☒ 7 STANDARD CULTIVAR
☒ 5 = Medium 7 = Late ☒ 07 ☒ 8
 D CULTIVAR

5. MATURE PLANT HEIGHT (Use standard cultivars from above):

☒ 048 cm High ☒ 006 cm Shorter than ☒ 8 STANDARD CULTIVAR
☒ 008 cm Taller than ☒ 9 STANDARD CULTIVAR

6. **PERCENT WINTER DAMAGE** estimated as percent of the area appearing de: 20000320 Use standard cultivars from above for comparison):
- Percent Damage of Application Cultivar
- Percent Damage of STANDARD CULTIVAR
- NTEP trial data April 2001
living ground cover follows
first winter of trial.

7. **TURF DENSITY** (Use standard cultivars from above):
- Tillers per 100 square cm
- Less tillers per 100 square cm than ... STANDARD CULTIVAR
- More tillers per 100 square cm than ... STANDARD CULTIVAR
- On a 1-9 scale; 9 = maximum summer density
(2001 NTEP data for 1999 sown trial), 'Fies'
scored 6.9; 'Linn' scored 4.9.

8. **FLAG LEAF** (at full growth, use standard cultivars from above):

- cm Length (from ligule to tip) mm Width (at widest point)
- cm Shorter than STANDARD CULTIVAR
- cm Longer than STANDARD CULTIVAR
- mm Narrower than STANDARD CULTIVAR
- mm Wider than STANDARD CULTIVAR
- Flag Leaf at Boot Stage
1 = Deflexed
3 = Recurved
5 = Horizontal
7 = Semi-Erect
9 = Erect

9. **LEAVES:**

- Vernation: 1 = Leaves rolled in young shoots 2 = Leaves semi-rolled (folded with rolled edges)
3 = Leaves folded in young shoots
- % Plants with anthocyanin in lower leaf sheath
- Foliage Color: 1 = Yellow Green
2 = Medium Green
3 = Blue Green

10. **SPIKE:**

- mm Spike length (tip to internode below lowest floret)
- mm Shorter than STANDARD CULTIVAR
- mm Longer than STANDARD CULTIVAR
- mg per ten spikes (trimmed to internode below lowest floret)
- mg lighter per ten spikes than STANDARD CULTIVAR
- mg heavier per ten spikes than STANDARD CULTIVAR
- florets per spikelet

PERCENTAGE OF PLANTS WITH:

- Rachis: % Smooth % Rough
- Spike Color: % Green % Purple
- Lemma: % Awne
- mm Awn length mm Glume length

- 1 = Spikelet length nearly equal to outer glumes
2 = Spikelet length much longer than outer glumes

11. COLEOPTILE:

% Plants with anthocyanin in coleoptile

12. ANTHER COLOR:

% Plants with white anthers

% Plants with yellow anthers

% Plants with purple anthers

13. ROOT AND PLANT CHARACTERS:

% Plants with prostrate growth habit

% Plants with fluorescent roots

% Plants with upright growth habit

On a scale of 1-9; 1=prostrate and 9=erect
Fiesta 3 rates 6.9 for growth habit.
VFL accepted by AOSCA, August 2000

14. SEED:

mg per 1000 seeds

mm Total Length of 10 seeds

mm Total Width of 10 seeds

15. DISEASE (0 = Not Tested, 2 = Highly Susceptible, 4 = Moderately Susceptible, 6 = Moderately Resistant, 8 = Highly Resistant)

Crown Rust (*Puccinia coronata*)

Dollar Spot (*Sclerotinia*)

Disease data
supplied with NTEP
trial progress report
April 2001

Brown Patch (*Rhizoctonia*)

Leaf Spot (*Helminthosporium*)

Mildew

Snow Mold (*Typhula*)

Red Thread (*Corticium*)

Other (Please Specify): stem rust

16. INSECT (0 = Not Tested, 2 = Highly Susceptible, 4 = Moderately Susceptible, 6 = Moderately Resistant, 8 = Highly Resistant)

Please Specify: _____

17. Give resemblance value in left column and variety code number in right column for variety with which comparison is made (1 = less than, 2 = same as, 3 = more erect, more resistant, denser, more persistent, darker or greater height.):

Resemblance	Character	Similar Variety	
<input type="text" value="3"/>	Plant Habit (erectness)	<input type="text" value="8"/>	1 = GULF
<input type="text" value="2"/>	Tillering	<input type="text" value="12"/>	2 = WIMMERIA 62
<input type="text" value="0"/>	Winter hardiness	<input type="text" value="0"/>	3 = LINN
<input type="text" value="0"/>	High Temperature Stress Resistance	<input type="text" value="0"/>	4 = PELO
<input type="text" value="0"/>	Turf Persistence	<input type="text" value="0"/>	5 = NORLEA
<input type="text" value="3"/>	Plant Color	<input type="text" value="7"/>	6 = ABERYSTWYTH S-23
<input type="text" value="1"/>	Vertical Seeding Growth Rate	<input type="text" value="12"/>	7 = MANHATTAN
<input type="text" value="0"/>	Crown Density	<input type="text" value="0"/>	8 = PENNFINE
<input type="text" value="0"/>	Mower Shredding Resistance	<input type="text" value="0"/>	9 = Advantage
			10 = Manhattan II
			11 = Palmer II
			12 = Edge

18. **GIVE AREA OF ADAPTATION AND INTENDED USE:** For use as permanent and overseeding
(temporary) turf in Northern & Southern parts of U.S., respectively.
19. **GIVE AREA TEST RESULTS PRESENTED FROM:** Unless noted otherwise, results contained
in this Exhibit came from spaced planted nurseries at Pickseed West, Inc., Albany,
20. **COMMENTS:** OR.

REPRODUCE LOCALLY. Include form number and edition date on all reproductions.

FORM APPROVED - OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) Pickseed West, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER Pick F3	3. VARIETY NAME Fiesta 3
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 30190 Hwy 34 SW Albany, OR 97321 USA		5. TELEPHONE (include area code) 541-967-0123	6. FAX (include area code) 541-967-6103
		7. PVPO NUMBER 200000320	

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company? ☒ YES ☐ NO
If no, give name of country

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?
☐ YES ☐ NO If no, give name of country

b. If original rights to variety were owned by a company(ies), is(are) the original owner(s) a U.S. based company?
☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (if needed, use reverse for extra space):

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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